

# **EXHIBIT 1**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

PHILLIPS 66 COMPANY,

Plaintiff,

v.

RAAJ UNOCAL LUBRICANTS LIMITED,

Defendant.

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CIVIL ACTION NO. 4:21-cv-00279

**AFFIDAVIT OF MANAS UPMANYU**  
**IN SUPPORT OF MOTION TO EXTEND TIME FOR SERVICE**

I, Manas Upmanyu, declare as follows:

1. I make this declaration based on my own personal knowledge and could and would competently testify as to the matters set forth below if called upon to do so.
2. I am a Senior Associate with Lall&Sethi, an Indian law firm that represents Plaintiff Phillips 66 Company in certain intellectual property matters in India.
3. On January 29, 2021, I emailed Defendant Raaj Unocal Lubricants Limited a copy of the Complaint filed in this Action (Civ. No. 4:21-cv-00279, the "United States Action") and asked whether Defendant would be willing to agree to formally waive service of the Complaint. I was also aware that Defendant had Indian counsel who represented Defendant in other intellectual property matters in India. Accordingly, I also emailed a copy of the Complaint and this request to Defendant's Indian counsel.
4. On February 1, I emailed Defendant and Defendant's Indian counsel the summons which issued on January 29 and followed up regarding the potential waiver of service. On

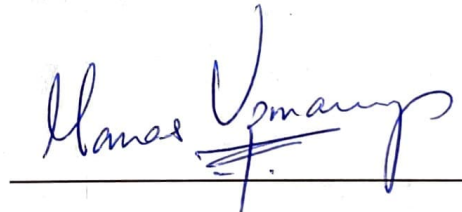
February 8, 2021, I again followed up with Defendant via email regarding the potential waiver of service.

5. I did not receive a response to these emails.

6. On March 8, 2021, Defendant filed a lawsuit in India against Phillips 66 Company and obtained an ex parte temporary restraining order prohibiting Phillips 66 Company from proceeding with the United States Action. Defendant attached a copy of the Complaint from the United States Action to the Indian lawsuit.

7. On March 10, 2021, Defendant's Indian counsel served Plaintiff a copy of the Indian lawsuit via email.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed in Shimla, India on April 15, 2021.



Manas Upmanyu